

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action No. 3:20-CV-710 -MOC-DSC**

HAYWARD INDUSTRIES, INC.,

Plaintiff, Counterclaim Defendant

v.

BLUEWORKS CORPORATION,
BLUEWORKS INNOVATION
CORPORATION, NINGBO C.F.
ELECTRONIC TECH CO., LTD; NINGBO
YISHANG IMPORT AND EXPORT CO.,
LTD.

Defendants, Counterclaim Plaintiffs.

**HAYWARD'S TWENTY-SEVENTH
EMERGENCY MOTION TO EXTEND
ASSET FREEZE**

Hayward Industries, Inc. (“Hayward) moves this Court for an order (a) extending the Court’s Temporary Restraining Order (Doc. No. 393) or, alternatively, converting the terms of the TRO into an ongoing injunction to restrain the transfer of Defendants’ assets until the Judgment is satisfied and/or (b) requiring Defendants to post a security bond sufficient to satisfy the Judgment. Hayward is seeking this relief by emergency motion because the TRO is set to expire shortly.

Hayward is seeking the extension as against the three non-debtor Defendants, Blueworks Innovation, Ningbo Electronic Tech, and Ningbo Yishang Imports, and those acting in concert with them. Hayward also moves for the TRO to include Blueworks Corporation upon dismissal of the bankruptcy case or other dissolution of the automatic stay, so that there is no period during which Blueworks Corporation could transfer its assets to avoid execution on the Judgment if the automatic stay is lifted or if the bankruptcy proceeding is dismissed.

Counsel for Hayward conferred with counsel for Blueworks Corporation on this motion, but did not hear back before filing this Motion. Counsel for Hayward also emailed the Ningbo

Parties directly using the email address they filed with the Court, but did not hear back before filing this motion. (Doc. 571). Defendants have never consented to the TRO or extensions of same and Hayward believes their position remains unchanged.

WHEREFORE, Hayward respectfully requests that the Court enter an order extending the TRO.

This the 4th day of May, 2025,

s/ Patrick Spaugh

B. Chad Ewing (N.C. Bar No. 27811)
Patrick Grayson Spaugh (N.C. Bar No. 49532)
Womble Bond Dickinson (US) LLP
301 South College Street, Suite 3500
Charlotte, NC 28202
Chad.Ewing@wbd-us.com
Patrick.Spaugh@wbd-us.com

Erik Paul Belt (*admitted pro hac vice*)
James Donoian (*admitted pro hac vice*)
Anne E. Shannon (*admitted pro hac vice*)
Alexander L. Ried (*admitted pro hac vice*)

McCarter & English, LLP
265 Franklin Street
Boston, MA 02110
ebelt@mccarter.com
jdonoian@mccarter.com
ashannon@mccarter.com
aried@mccarter.com

Attorneys for Plaintiff Hayward Industries, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on May 4, 2025, the foregoing document was filed with the Clerk of Court using the CM/ECF system, which will automatically send notification of such filing and serve counsel for Blueworks Corporation.

I also served Ningbo C.F. Electronic Tech Co., Ltd., Ningbo Yishang Import and Export Co., Ltd., and Blueworks Innovation Corporation via email to contact@techflife.com, which is their email address of record filed with the Court in response to the Court's request that they file an email address where they can be served. (Doc. 571).

In addition, Zefeng "Richard" Chen was served via FedEx to 8408 Channel Way, Waxhaw, N.C. 28173.

/s/ Patrick G. Spaugh
Patrick G. Spaugh